

Office of the State Public Defender

Administrative Policies

Subject: Contract Mental Health Services	Policy No.: 131
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1.0 POLICY

- 1.1 The Office of the State Public Defender (OPD) may enter into contracts with non-attorney professionals as necessary to deliver public defender services pursuant to the Montana Public Defender Act (Act).

2.0 PROCEDURE

- 2.1 Prospective contract mental health providers must complete the Memorandum of Understanding as provided on the OPD website at <http://publicdefender.mt.gov> and attach a Summary of Education and Experience.
- 2.2 Prospective contractors acknowledge that they have read and agree to abide by the ethical and practice Standards of their profession by signing the MOU and returning it to OPD. The MOU also requires that contractors complete required continuing educational units in courses relating to their profession, including training requirements established by OPD's Training Coordinator.
- 2.3 Cases will be referred to mental health professionals based on qualifications and experience. OPD is not obligated to assign any specific number of cases to a contractor, nor are contractors obligated to accept any case referred for assignment.
- 2.4 All contract mental health services are subject to OPD's pre-approval policy (Policy 125).

3.0 PAYMENTS FOR SERVICES

- 3.1 The OPD shall pay contractors directly for services rendered.
- 3.2 Contract mental health professionals shall be paid according to the rate schedule adopted by the Montana Public Defender Commission (Attachment A).
- 3.3 Pre-approved travel expenses shall be paid at the state travel rates.
- 3.4 Other expenses shall be paid as pre-approved under OPD procedures.

4.0 PAYMENT AND PROCEDURES

It is understood that contract mental health services will be supervised by the Regional Deputy Public Defender and the OPD Central Office.

Contract mental health providers shall submit an itemized claim on the appropriate payment form for conflict and non-conflict cases by the tenth of the month following the date of service. The forms and accompanying instructions are posted on the OPD web site at <http://publicdefender.mt.gov>. Each form must contain the case number assigned by the Regional Office.

Claims for non-conflict services shall be submitted to the supervising Regional Deputy Public Defender for review, who shall within five (5) days review and forward the claim to the Central Office. The OPD Contract Manager will review, approve and pay said claim within thirty (30) days of receipt of the same. Claims for conflict services are to be submitted directly to the Contract Manager. Payment may be delayed if the claims are returned for corrections, clarification or for failure to include the assigned case number.

Claims submitted more than 45 days from the last day of the month of service will be denied.

5.0 CLOSING

Questions about this policy should be directed to the Central Office at the following address:

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Administrative Service Division
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Phone 406-496-6080